

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

ePLUS, INC.,)
)
Plaintiff,) Civil Action No. 3:09cv620(REP)
)
v.)
)
LAWSON SOFTWARE, INC.,)
)
Defendant.)

**PLAINTIFF ePLUS INC.’S MOTION FOR LEAVE TO FILE BRIEF IN OPPOSITION
TO DEFENDANT’S “SECOND SUPPLEMENTAL” BRIEF IN SUPPORT OF MOTION
TO STAY PROCEEDINGS AND MEMORANDUM IN SUPPORT**

Pursuant to Rule 7(F)(1) of the Local Rules of this Court, Plaintiff ePlus inc. (“ePlus”) respectfully requests that the Court grant leave for it to file the Brief in Opposition to Defendant’s “Second Supplemental” Brief in Support of Motion to Stay Proceedings attached hereto as Exhibit 1.

This motion and ePlus’s accompanying brief is warranted because, on January 4, 2010, Defendant Lawson Software, Inc. (“Lawson”) filed, without requesting or obtaining leave of Court, a “second supplemental” brief in support of its previously-filed motion to stay this action. *See* Dkt. No. 140. Lawson’s submission is its fourth brief in total in support of this motion.

ePlus believes that Lawson’s second supplemental brief is both unwarranted and improper. *See* Local Rule 7(F)(1) (“[n]o further briefs or written communications may be filed without first obtaining leave of Court.”). However, in the event the Court permits Lawson’s filing, ePlus should be permitted to respond to Lawson’s arguments.

*e*Plus therefore respectfully requests that the Court permit it to file the accompanying Brief in Opposition to Defendant's "Second Supplemental" Brief in Support of Motion to Stay Proceedings.

Respectfully submitted,

January 7, 2009

/s/

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CERTIFICATE OF SERVICE

I hereby certify that on the 7^h day of January, 2010, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system which will then send a notification of such filing (NEF) via email to the following:

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